



County Board of Appeals of Baltimore County
OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

October 13, 1993

John B. Gontrum, Esquire
ROMADRA, GONTRUM & McLAUGHLIN
814 Eastern Boulevard
Baltimore, MD 21221

RE: Case No. R-89-460
Jack Farley - Petitioner

Dear Mr. Gontrum:

The Board has completed an audit of pending cases before it and has located the above-referenced petition for Reclassification, on which you appear as Counsel for Petitioner. This Petition was filed with the Board prior to the County Council's enactment of the 1992 Comprehensive Zoning Maps. In view of this subsequent enactment by the Council, your Petition for Reclassification of the subject property is moot. The Board will therefore withdraw your petition from its docket of pending cases and close our file.

Please contact me within fifteen (15) days from the date of this letter if you have any questions or comments concerning the above action.

Very truly yours,

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

cc: Mr. Jack Farley
Mr. James Earl Kraft
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

MEMORANDUM TO SUPPORT RECLASS

THIS PROPERTY IS PRESENTLY ZONED ML-IM. ALL OF THE SURROUNDING AREA IS ZONED MH-IM. IN ADDITION, THE USE ALONG EARLS ROAD IS CONSISTENT WITH MH-IM. THIS SMALL STRIP OF ML-IM IS OUT OF CHARACTER WITH THE NEIGHBORHOOD AND IT WAS A MISTAKE WHEN THE COUNCIL ZONED ML-IM ADJACENT TO THIS PROPERTY TO MH-IM AND DID NOT RE-ZONE THE WHOLE STRIP OF ML-IM TO MH-IM TO AVOID THE SPOT ZONING APPEARANCE THAT NOW EXISTS.

John O. Hennegan
JOHN O. HENNEGAN

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS
FROM M.L.-I.M. TO M.H.-I.M. ZONE : OF BALTIMORE COUNTY
W/S Earls Rd., 758.50' SW from :
Earls Rd. & 2,000' S of Ebenezer :
Rd. (116 Earls Road) :
15th Election District :
5th Councilmanic District :
JACK FARLEY, Petitioner : Zoning Case No. R-89-460

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
(301) 887-2188

I HEREBY CERTIFY that on this 17th day of July, 1989, a copy of the foregoing Entry of Appearance was mailed to John O. Hennegan, Esquire, 809 Eastern Blvd., Baltimore, MD 21221, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

RECEIVED
COUNTY BOARD OF APPEALS
JUL 17 1989

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 11/10/89
Posted for: Reclassification
Petitioner: Jack Farley
Location of property: W/S Earls Rd., 758.50' SW / Earls Rd. & 2000' +
S/E Ebenezer Rd.
Location of Signs: Along Earls Rd., at an angle of 90° to Property,
Postd. on N.B. of Rd., across St. to Earls Rd.
Remarks:
Posted by: *M. Lee* Date of return: 11/17/89
Number of Signs: 1

PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an M-H-M zone to an M-H-M zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Jack Farley
Signature	(Type or Print Name)
Address	Signature
City and State	(Type or Print Name)
Attorney for Petitioner:	Signature
John O. Hennegan	1200 Old Eastern Avenue 391-3667
(Type or Print Name)	Address
Signature	Baltimore, Maryland 21221
809 Eastern Boulevard	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Baltimore, Maryland 21221	Name
City and State	Address
Attorney's Telephone No.: 686-8274	Phone No.

BAHC-Form 1

VARIANCE STATEMENT

A variance is requested from Sections 258 and from 238.2 to permit side and rear yard setbacks of five (5) feet for the existing residence on the site in lieu of the required thirty (30) feet. The property has a residence now being utilized on it. Unless the variance is granted the existing residence with the setbacks as depicted on the site plan would have to be moved or torn down. This creates a practical difficulty not contemplated by the setbacks established by these sections.

A variance also is requested for section 408.2 to permit location of junked and inoperable vehicles and parts within twenty-five (25) feet of another zone or property line in lieu of the required three hundred (300) feet of another zone and thirty (30) feet of a property line. A junk yard has existed at this location under county permit for several years. The zoning requirements would preclude use of the property totally as it is less than three hundred (300) feet wide. As depicted on the site plan the proposed used would conform with the building setback requirements. With the exception of the front of the property the site would conform with the thirty (30) foot property line setback. Granting of this variance would allow the junk yard to continue as it has been previously designed and permitted.

A variance has been sought from Section 408.3 to require no additional walls or screening other than as depicted on the site plan. The surrounding sites already have substantial wooded buffer, and fencing is proposed around the site which is opaque. The buffer strip as depicted on the site plan would remain untouched except for the existing structures. There is no nearby residential zoning.

The site currently is unpaved and given the limited traffic to and from the site paving the site would unduly add to run-off with no appreciable benefit. The site currently is paved with crushed stone on the roadways and this has proved to be a durable and dust-free surface. Proper treatment of the surface has maintained it in a durable and dust free condition, and accordingly a variance is sought from Section 409.b.A.2 and 409.b.A.6 of the B.C.Z.R. as interpreted by zoning policy.

Phone: 687-4922

FRANK S. LEE
Registered Land Surveyor

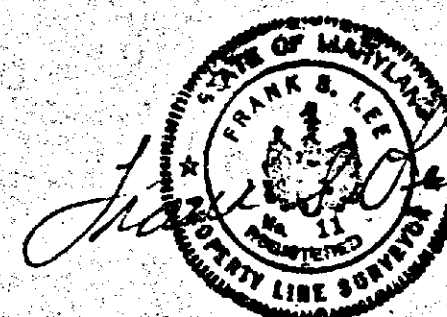
1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

September 26, 1988

No. 516 Earls Road
15th District Baltimore County, Maryland

Beginning for the same on the northwest side of Earls Road at the distance of 2000 feet measured southwesterly along Earls Road from the south side of Ebenezer Road, thence running North 88 degrees West 758.50 feet to the beginning of this parcel of land, thence running and binding on the outlines thereof as follows: North 88 degrees 1035 feet, South 1 degree 20 minutes West 193 feet, South 88 degrees East 520 feet, South 80 degrees 10 minutes East 520 feet and North 20 degrees East 264 feet to the place of beginning.

Containing 5 acres of land more or less.



CERTIFICATE OF PUBLICATION

Office of

THE AVENUE NEWS

442 Eastern Blvd.
Baltimore, MD. 21221

November 9, 1989

THIS IS TO CERTIFY, that the annexed advertisement of Jack Farley in the matter of Petition for Zoning Reclassification on Earls Road, Case #R-89-460, P.O.#17940, Reg.# M28958, 105 lines @.55 or \$57.75

was inserted in The Avenue News a weekly newspaper

published in Baltimore County, Maryland once a week for 1

successive week(s) before the 10 day of Nov. 1989.

It is to say, the same was inserted in the issues of Nov. 9, 1989.

The Avenue Inc.

per publisher

Diarrif Caldwell

NOTICE
PETITION
FOR RECLASSIFICATION
ON EARLS ROAD
FROM M.L.-I.M. TO M.H.-I.M. ZONE
JACK FARLEY, PETITIONER
W/S Earls Rd., 758.50' SW from
Earls Rd. & 2,000' S of Ebenezer
Rd. (116 Earls Road)
15th Election District
5th Councilmanic District
JACK FARLEY, Petitioner
Zoning Case No. R-89-460
Beginning for the same on the northwest side of Earls Road at the distance of 2000 feet measured southwesterly along Earls Road from the south side of Ebenezer Road, thence running North 88 degrees West 758.50 feet to the beginning of this parcel of land, thence running and binding on the outlines thereof as follows: North 88 degrees 1035 feet, South 1 degree 20 minutes West 193 feet, South 88 degrees East 520 feet, South 80 degrees 10 minutes East 520 feet and North 20 degrees East 264 feet to the place of beginning.
Containing 5 acres of land more or less.
The Avenue Inc.
per publisher
Diarrif Caldwell
TUESDAY, NOVEMBER 14, 1989
442 EASTERN BLVD.
BALTIMORE, MD. 21221
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MD. 21204
BALTIMORE COUNTY BOARD OF APPEALS

NOTICE OF HEARING
PETITION FOR ZONING RECLASSIFICATION

Petition for Zoning Reclassification
Case Number: CR-89-460
W/S Earls Road, 758.50' SW from Earls Road and 2,000' S of Ebenezer Road
Petitioner(s): Jack Farley

No. 516 Earls Road
15th Election District Baltimore County, Maryland

Beginning for the same on the northwest side of Earls Road at the distance of 2000 feet measured southerly along Earls Road from the south side of Ebenezer Road, thence running North 88 degrees West 758.50 feet to the beginning of this parcel of land, thence curving and ending on the outline thereof as follows North 88 degrees 1020 feet, South 1 degree 28 minutes West 192 feet, South 88 degrees at 320 feet, South 80 degrees 10 minutes East 320 feet and North 20 degrees East 264 feet to the place of beginning.

Containing 5 acres of land more or less.

Petition to reclassify the property from an R.L.-I.M. to an R.L.-I.R. zone.

TIME: 10:00 a.m.
DATE: TUESDAY, NOVEMBER 28, 1989
LOCATION: Room 301, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204

WILLIAM T. HACKETT, CHAIRMAN
County Board of Appeals

PUBLIC NOTICE

RECLASSIFICATION AND REDISTRICTING PETITIONS ACCEPTED
FOR FILING BY BALTIMORE COUNTY BOARD OF APPEALS FOR THE APRIL, 1989 -
OCTOBER, 1989 ZONING RECLASSIFICATION CYCLE I

WESTERN SECTOR

1. Property Owner: [Name], [Address], [City], [State], [Zip]
2. Property Owner: [Name], [Address], [City], [State], [Zip]
3. Property Owner: [Name], [Address], [City], [State], [Zip]
4. Property Owner: [Name], [Address], [City], [State], [Zip]
5. Property Owner: [Name], [Address], [City], [State], [Zip]
6. Property Owner: [Name], [Address], [City], [State], [Zip]
7. Property Owner: [Name], [Address], [City], [State], [Zip]
8. Property Owner: [Name], [Address], [City], [State], [Zip]
9. Property Owner: [Name], [Address], [City], [State], [Zip]
10. Property Owner: [Name], [Address], [City], [State], [Zip]

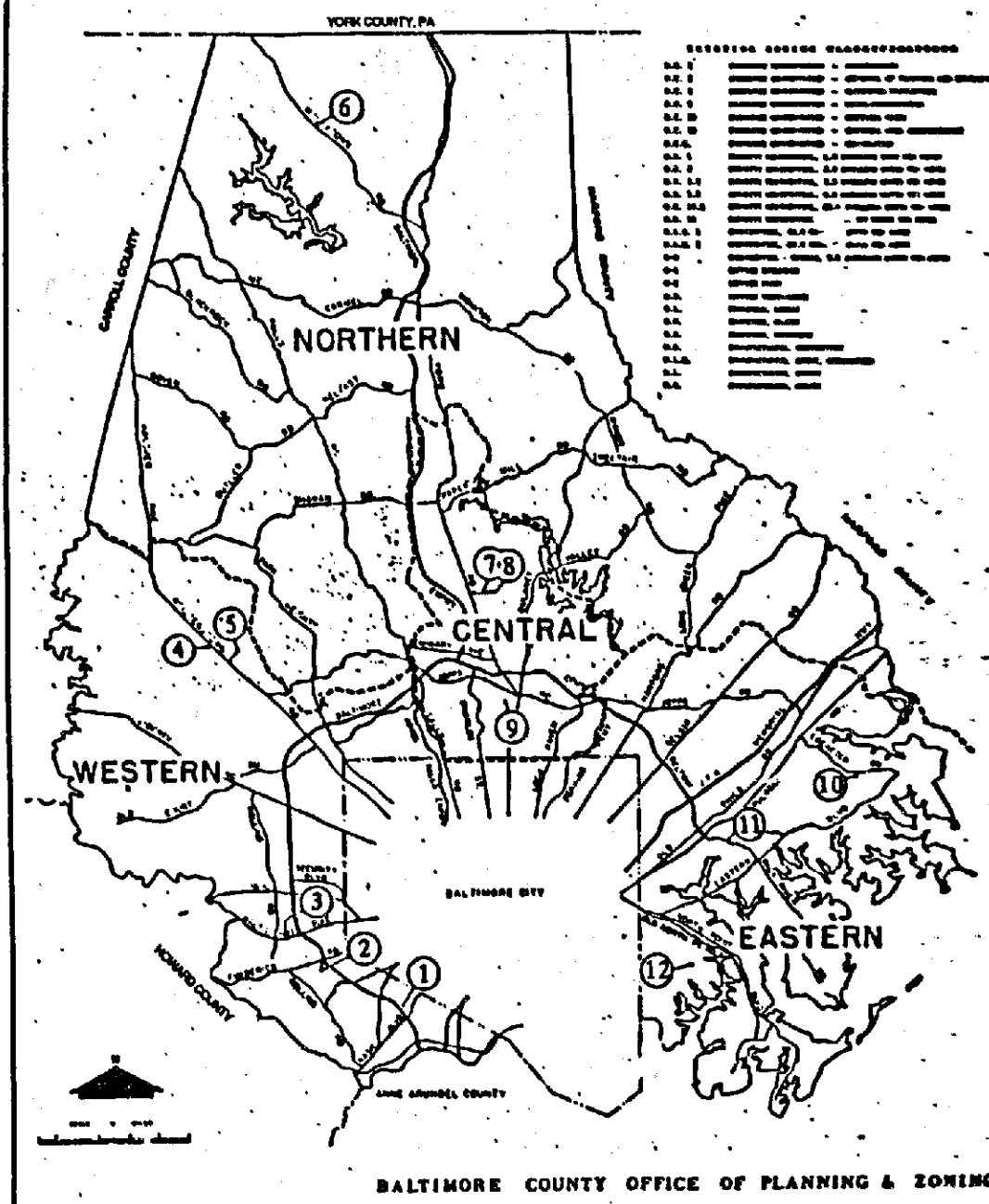
NORTHERN SECTOR

1. Property Owner: [Name], [Address], [City], [State], [Zip]
2. Property Owner: [Name], [Address], [City], [State], [Zip]
3. Property Owner: [Name], [Address], [City], [State], [Zip]
4. Property Owner: [Name], [Address], [City], [State], [Zip]
5. Property Owner: [Name], [Address], [City], [State], [Zip]
6. Property Owner: [Name], [Address], [City], [State], [Zip]
7. Property Owner: [Name], [Address], [City], [State], [Zip]
8. Property Owner: [Name], [Address], [City], [State], [Zip]
9. Property Owner: [Name], [Address], [City], [State], [Zip]
10. Property Owner: [Name], [Address], [City], [State], [Zip]

CENTRAL SECTOR

1. Property Owner: [Name], [Address], [City], [State], [Zip]
2. Property Owner: [Name], [Address], [City], [State], [Zip]
3. Property Owner: [Name], [Address], [City], [State], [Zip]
4. Property Owner: [Name], [Address], [City], [State], [Zip]
5. Property Owner: [Name], [Address], [City], [State], [Zip]
6. Property Owner: [Name], [Address], [City], [State], [Zip]
7. Property Owner: [Name], [Address], [City], [State], [Zip]
8. Property Owner: [Name], [Address], [City], [State], [Zip]
9. Property Owner: [Name], [Address], [City], [State], [Zip]
10. Property Owner: [Name], [Address], [City], [State], [Zip]

LOCATIONS OF PROPERTIES UNDER PETITION



LISTINGS OF PETITIONS: Numbers in the listings are keyed to the map above

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS
FOR BALTIMORE COUNTY AND
P. DAVID FIELDS
DIRECTOR OF PLANNING AND ZONING

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

Date: 11-24-89



Dennis F. Reardon
County Commissioner

Jack Farley
1200 Old Eastern Avenue
Baltimore, Maryland 21221

Re: Petition for Zoning Reclassification
CASE NUMBER: CR-89-460
W/S Earls Road, 758.50' SW from Earls Road and 2,000' S of Ebenezer Road
516 Earls Road
15th Election District - 5th Councilmanic
Hearing Scheduled: November 28, 1989

Dear Petitioner(s):

This is to advise you that \$471.46 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE RECLASSIFICATION SIGN AND POST RETURNED TO THE BALTIMORE COUNTY ZONING OFFICE ON THE DAY OF THE BOARD OF APPEALS' HEARING OR THE ORDER WILL NOT BE ISSUED.

Please make your check payable to "Baltimore County, Maryland" and send it to Ms. G. Stephens, Zoning Office, Room 113, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204, before the hearing.

Very truly yours,

J. Robert Haines
Zoning Commissioner

cc: John O. Hennegan, Esq.
File

no receipt for
payment of adv.
fee in file &
note later

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 065885
DATE 2/2/89 ACCOUNT 01-615
AMOUNT \$ 100.00
RECEIVED Romella Gaudin - Hennegan
FOR: Reclamation (Jack Farley)
#516 Earls Rd.
B 8017*****100001a 3016F
VALIDATION OR SIGNATURE OF CASHIER
FBI - AGENCY YELLOW - CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 53443

DATE 11/27/89 ACCOUNT R-001-7120

AMOUNT \$ 8233X 5.00

RECEIVED Patti Rollins of Miles & Stockbridge

FOR: photocopies of File No. R-89-460 (Jack Farley)

VALIDATION OR SIGNATURE OF CASHIER

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180
June 19, 1990

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(j). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. R-89-460 JACK FARLEY
W/S Earls Road, 758.50' SW from Earls Road and 2,000' S of Ebenezer Road (516 Earls Road)
15th Election District
5th Councilmanic District
Item #10, Cycle I
1989
(Reclassification)
Day #2
FROM ML-IM to MH-IM
(Cont.'d from 11/28/89)

which was POSTPONED on the record November 28, 1989 at the request of Counsel for Petitioner has been scheduled for hearing on July 6, 1990 for the purpose of allowing Petitioner to submit a documented site plan - no testimony or evidence will be taken.

ASSIGNED FOR: FRIDAY, JULY 6, 1990 at 9:30 a.m.

cc: John B. Gortum, Esquire Counsel for Petitioner
Mr. Jack Farley
James Earl Kraft Baltimore County Board of Education
Phyllis C. Friedman, Esquire-People's Counsel for Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

LindaLee M. Kuszmaul
Legal Secretary

APR 25 1990

NOTICE OF HEARING

Petition for Zoning Reclassification
Case Number: CR-89-460
W/S Earls Road, 758.50' SW from Earls Road and 2,000' S of Ebenezer Road
Petitioner(s): Jack Farley

Petition to reclassify the property from an R.L.-I.M. to an R.L.-I.R. zone.

TIME: 10:00 a.m.
DATE: TUESDAY, NOVEMBER 28, 1989
LOCATION: Room 301, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204

WILLIAM T. HACKETT, CHAIRMAN
County Board of Appeals

cc: John O. Hennegan, Esq.
Jack Farley
People's Counsel
Board of Appeals

THIS IS TO ADVISE YOU THAT YOU WILL BE BILLED BY THE ZONING OFFICE FOR ADVERTISING AND POSTING COSTS WITH RESPECT TO THIS CASE APPROXIMATELY A WEEK BEFORE THE HEARING. THIS FEE MUST BE PAID AND THE SIGN AND POST RETURNED TO THE ZONING OFFICE ON THE DAY OF THE HEARING OR THE ORDER WILL NOT BE ISSUED.

W.T.H.

69 APR 25 PM 2:00
COUNTY BOARD OF APPEALS

APR 25 1990

NOTICE OF HEARING

Petition for Zoning Reclassification
Case Number: CR-89-460
W/S Earls Road, 758.50' SW from Earls Road and 2,000' S of Ebenezer Road
Petitioner(s): Jack Farley

Petition to reclassify the property from an R.L.-I.M. to an R.L.-I.R. zone.

TIME: 10:00 a.m.
DATE: TUESDAY, NOVEMBER 28, 1989
LOCATION: Room 301, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204

WILLIAM T. HACKETT, CHAIRMAN
County Board of Appeals

cc: John O. Hennegan, Esq.
Jack Farley
People's Counsel
Board of Appeals

THIS IS TO ADVISE YOU THAT YOU WILL BE BILLED BY THE ZONING OFFICE FOR ADVERTISING AND POSTING COSTS WITH RESPECT TO THIS CASE APPROXIMATELY A WEEK BEFORE THE HEARING. THIS FEE MUST BE PAID AND THE SIGN AND POST RETURNED TO THE ZONING OFFICE ON THE DAY OF THE HEARING OR THE ORDER WILL NOT BE ISSUED.

W.T.H.

11/28/89 -Continued on record at request of Counsel for Petitioner; no objection by People's Counsel per letter dated 11/22/89; no reset date at this point in time per ADP. (petition to be amended)

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
(301) 887-3554

May 9, 1989



Dennis F. Rasmussen
County Executive

Mr. William Hackett
Chairman, Board of Appeals
County Office Building
Towson, Maryland 21204

Zoning Reclassification Cycle 1 April - October, 1989
Item No. 10

Property Owner: Jack Farley
Case No./Hearing Date: R-89-460, November 7, 1989
Location: No. 516 Earls Road
Existing Zoning: M.L. - I.M.
Election District: 15th
Councilmanic District: 5th
Acres: 5
Proposed Zoning: M.H. - I.M.

Dear Mr. Hackett:

No major change in trip generation is anticipated by the requested zoning change.

Access to this site is by a 15' wide right-of-way, which may not be sufficient to provide an adequate driveway.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/lw

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

William Hackett
Chairman, Board of Appeals
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

Re: Property Owner: Jack Farley

Location: W/S Earls Road, 758.50' SW from Earls Rd. and 2000'
S of Ebenezer Rd - #516 Earls Road
Item No.: Ten (10) Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Fire main shall be extended to site for fire protection.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1988 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Kelly* 4-14-89 Noted and Approved: *Carl J. Kelly*
Special Inspection Division Fire Prevention Bureau

/j1

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: P. David Fields, Director
Office of Planning & Zoning DATE: July 6, 1990
FROM: William T. Hackett, Chairman
County Board of Appeals
SUBJECT: Case No. R-89-460 Jack Farley

Pursuant to the appropriate sections of the Baltimore County Code, we are transmitting to you copies of the amended plans submitted to the County Board of Appeals at a public hearing on July 6, 1990. These are being forwarded to you for processing with the Baltimore County Planning Board.

Since the Planning Board recesses for the month of August, Counsel for Petitioner has indicated on the record his willingness to waive the 45-day requirement for Planning Board review so that this matter may be included on the Planning Board's September meeting agenda. People's Counsel has no objections to this waiver request.

15/ 7/06/90

William T. Hackett, Chairman
County Board of Appeals

Attachments

cc: W. Carl Richards w/attachment

5/01/92 -Copy to Joan Morrissey Ward, Planning Office, on 5/01/92 w/notation as indicated below regarding current status of this reclassification request (sent with copies of R-91-119; R-91-120; and R-91-365-A)

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: P. David Fields, Director
Office of Planning & Zoning DATE: July 6, 1990
FROM: William T. Hackett, Chairman
County Board of Appeals
SUBJECT: Case No. R-89-460 Jack Farley

Pursuant to the appropriate sections of the Baltimore County Code, we are transmitting to you copies of the amended plans submitted to the County Board of Appeals at a public hearing on July 6, 1990. These are being forwarded to you for processing with the Baltimore County Planning Board.

Since the Planning Board recesses for the month of August, Counsel for Petitioner has indicated on the record his willingness to waive the 45-day requirement for Planning Board review so that this matter may be included on the Planning Board's September meeting agenda. People's Counsel has no objections to this waiver request.

15/ 7/06/90

William T. Hackett, Chairman
County Board of Appeals

Attachments

cc: W. Carl Richards w/attachment

5/01/92

NOTE: Last notation in case file indicates that Board will reset for hearing on amended plans as transmitted to Planning on 7/06/90 at such time as comments are received from Planning Board. Comments have never been received; no further request made for hearing; matter is still pending.

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
County Board of Appeals

6/19/90 - Following parties notified of hearing set for July 6, 1990 at 9:30 a.m. for the purpose of submitting a documented site plan - no testimony or evidence will be taken. Day #2 continued from 11/28/89 postponed on the record.

J. Gontrum
J. Farley
J. Kraft
P. Friedman
D. Fields
P. Keller
B. Haines
A. Nastarowicz
J. Dyer
C. Richards
Docket Clerk
A. Jablon

7/26/90 -Continued on the record; amended plan submitted by J. Gontrum on behalf of Petitioner; 45-day requirement for review by Planning Board waived by Gontrum; matter to be reviewed by Planning Board at September meeting; to be reset by Board upon receipt of comments from Planning.

10/13/93 -Letter to J. Gontrum, Esquire as counsel for Petitioner w/copies to all parties listed in case file --Pursuant to CO's enactment of 1992 Comp. Zoning Maps, this petition is moot; therefore, Board will remove from docket, withdraw petition and close file. Fifteen-day period allowed for comment/question.



Baltimore County, Maryland

PEOPLE'S COUNSEL
ROOM 304, COUNTY OFFICE BUILDING
111 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
887-7889/2188

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

November 22, 1989

The Honorable
William T. Hackett, Chairman
County Board of Appeals
Room 315, County Office Building
Towson, Maryland 21204

RE: Jack Farley, Petitioner
Zoning Case #R-89-460
(Item 10, Cycle 1)

Dear Chairman Hackett:

This is to confirm my understanding that a postponement will be requested in open hearing on Tuesday, November 28, 1989, because the Petitioner intends to amend the petition for reclassification. In the absence of any extraordinary circumstances, our office will not oppose the postponement.

Of course, in the event the postponement is granted, any future amendment must be made in open hearing, following which the procedure outlined in Section 2-58.1 of the County Code must be implemented. We ask, in advance, that any documentation pertaining to an amendment be provided to this office and to the Office of Planning and Zoning.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

cc: John B. Gontrum, Esquire
John J. Dillon, Jr.

PMZ:sh

RECEIVED
COUNTY BOARD OF APPEALS
JUN 22 1990

LAW FIRM

Romadka, Gontrum & Hennegan, P.A.

IRVINGTON FEDERAL BUILDING
809 EASTERN BOULEVARD
ESSEX, MARYLAND 21221
TELEPHONE (301) 686-8274
FAX # 686-0118

ROBERT J. ROMADKA
JOHN B. GONTRUM
JOHN O. HENNEGAN

DONALD R. SHEFFY
NANCY E. DWYER
SHARON R. GAMBLE

June 14, 1990

William T. Hackett
Board of Appeals
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. CR-89-460
516 Earls Road

Dear Chairman Hackett:

We are prepared to file a documented site plan in the above referenced case. Please set this matter in for a hearing so that we can submit the documented plan as we discussed.

Thank you for your cooperation in this matter.

Very truly yours,

John B. Gontrum
John B. Gontrum

JBG:kb
cc: Phyllis Friedman

RECEIVED
COUNTY BOARD OF APPEALS
JUN 18 1990

JACK FARLEY

#R-89-460
Item #10
Cycle 1 - 1989

W/S Earls Road, 758.50' SW from Earls Road and
2000' S of Ebenezer Road (516 Earls Road) 15th Election District
ML-IM to MH-IM 5th Councilmanic District
5 acres

February 28, 1989 Petition filed.

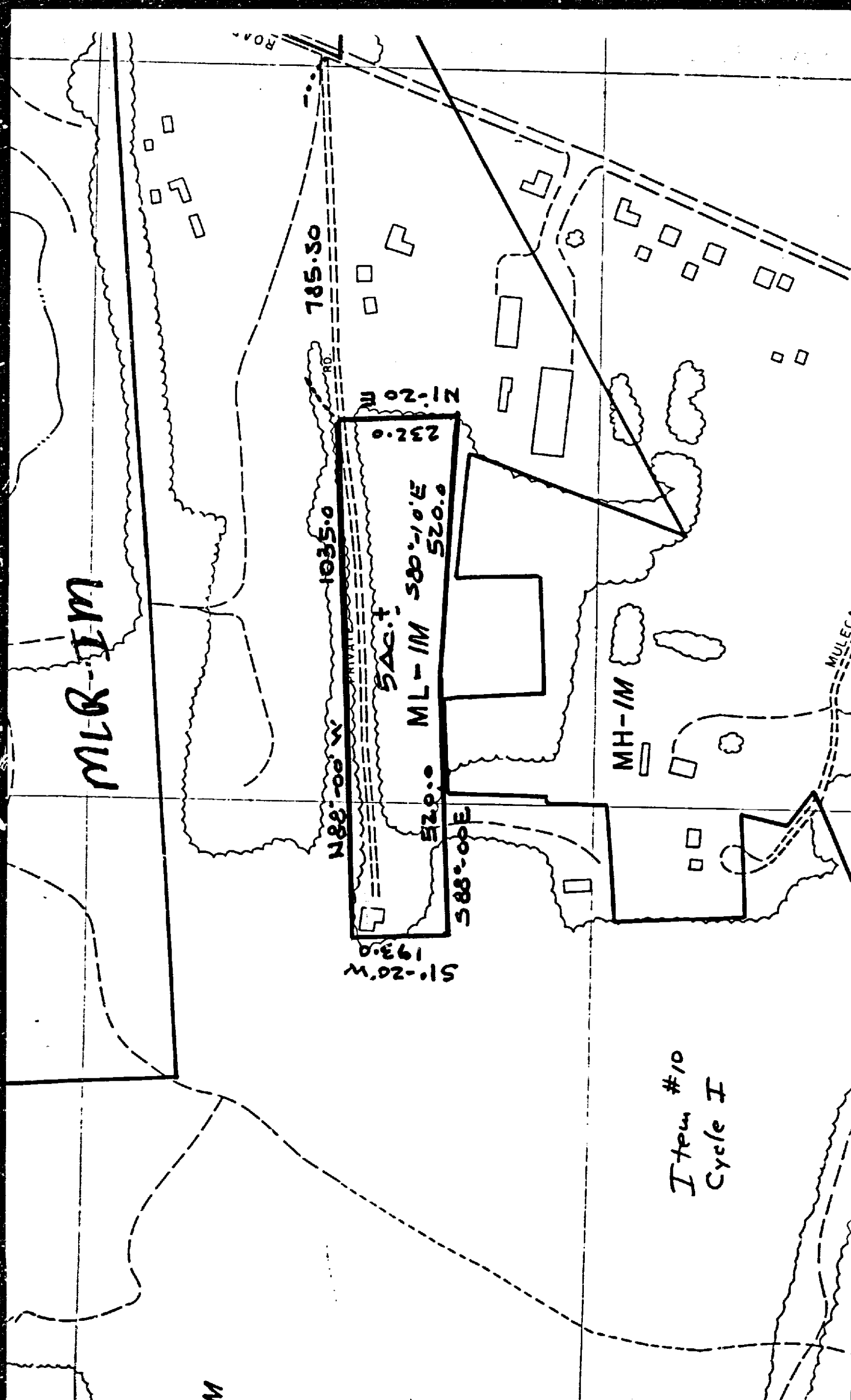
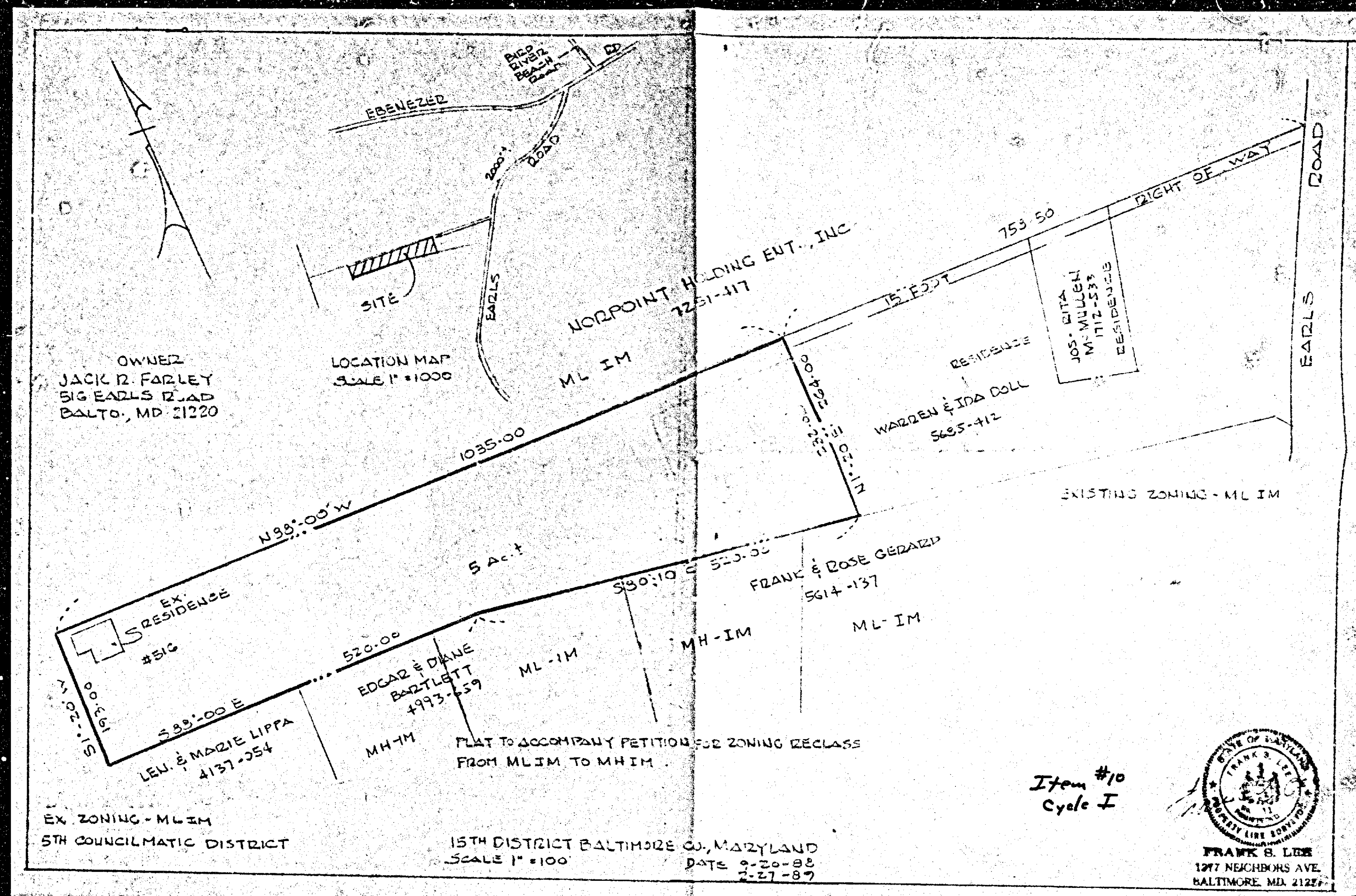
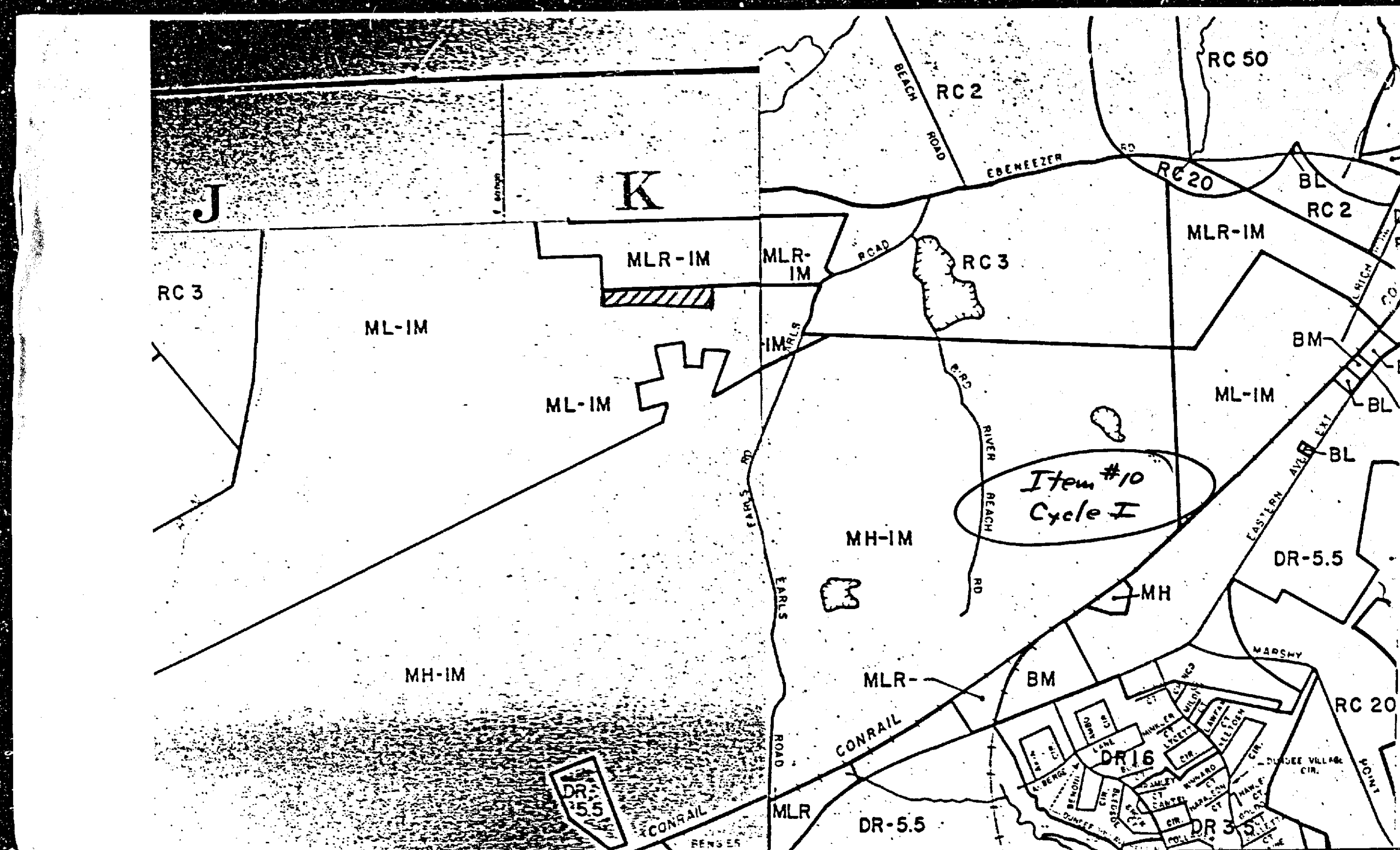
John O. Hennegan, Esquire Counsel for Petitioner
809 Eastern Boulevard
Baltimore, Maryland 21221
686-8274

Jack Farley Petitioner/Legal Owner
1200 Old Eastern Avenue
Baltimore, Maryland 21221
391-3667

James Earl Kraft
Baltimore County Board of Education
940 York Road, Towson, MD 21204

Phyllis Cole Friedman People's Counsel

P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk -Zoning
Arnold Jablon, County Attorney



PETITION FOR ZONING RE-CLASSIFICATION SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an ML-IM zone to an MH-IM zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for special exceptions for a junk yard.

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

Section 258 and 238.2 to allow side and rear setbacks of 5 feet in lieu of the required 30 feet for the existing residence.
Section 408.3 to require no additional walls or screening in addition to existing in lieu of discretionary additions permitted by the Board of Appeals.
Section 408.2 to permit automobiles or vehicles not in running condition or junk or scrap to be located within 25 and 30 feet of any adjacent zone/in-lieu of the required 300 feet from any other zone and 30 feet from any adjacent property.
Section 405.b.A.2 and 6 of the Baltimore County Zoning Regulations to permit the use of crushed stone as a durable and dustfree surface.

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: _____ Legal Owner(s): Jack Farley
(Type or Print Name) _____
Signature _____
Address _____
City and State _____

Attorney for Petitioner: John R. Contrino 1200 Old Eastern Avenue, 39103667
(Type or Print Name) _____
Signature _____
Address _____
City and State _____
Attorney's Telephone No.: 686-8274 _____

BARC Form 1

FRANK S. LEE

Registered Land Surveyor

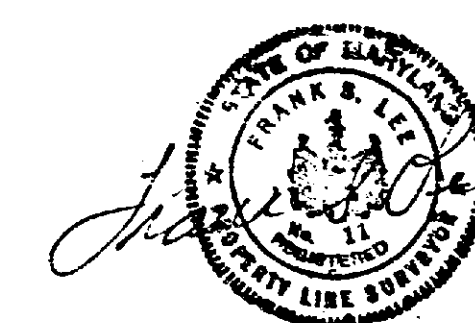
1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

September 26, 1988

No. 516 Earl's Road
15th District Baltimore County, Maryland

Beginning for the same on the northwest side of Earl's Road at the distance of 2003 feet measured southwesterly along Earl's Road from the south side of Ebenezer Road, thence running North 88 degrees West 738.50 feet to the beginning of this parcel of land, thence running and binding on the outlines thereof as follows: North 88 degrees 1035 feet, South 1 degree 20 minutes West 193 feet, South 88 degrees East 520 feet, South 80 degrees 10 minutes East 520 feet and North 20 degrees East 264 feet to the place of beginning.

Containing 5 acres of land more or less.



HYDROGEOLOGICAL STUDY AND ENVIRONMENTAL EFFECTS REPORT

FOR

#516 EARL'S ROAD

PREPARED BY

RAPITIS AND ASSOCIATES, INC.
BALTIMORE, MARYLAND

5-8-90

